

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

---

MICHAEL RAMOS,

Plaintiff,

v.

Case No. 10-C-847

ROGER WALKER,  
GREGORY KOESTERING, and  
PAMELA HOLMES,

Defendants.

---

**ORDER**

---

Plaintiff Ramos, who is proceeding *pro se*, has filed a motion to strike the Defendants' answer, because he believes it lacks sufficient detail and is otherwise filed in bad faith. Recently, Plaintiff filed a second civil action involving the same facts, which this Court construed as an amended complaint in this action. Accordingly, because an amended answer will be due, the motion to strike the answer is moot.

In addition, I have reviewed the answer and conclude that it suffices, under notice pleading standards, to adequately alert the Plaintiff to the nature of the defense, at least as it is known at this early stage in the proceedings. Pleadings are not dispositive of very much, and federal litigation is not designed to be carried out at the pleadings stage – particularly with respect to a defendant's answer. The Plaintiff will be able to learn the exact nature of the defenses during discovery and further motion practice, and any shortcomings in the answer are therefore not prejudicial to his prosecution of this lawsuit.

Accordingly, the motion is **DENIED** as moot, but Plaintiff is cautioned that a similar motion directed at an amended complaint will likely not succeed on its merits.

**SO ORDERED** this 22nd day of February, 2011.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge